

3-1-1975

The Loyola Brief

Loyola Law School Los Angeles

Repository Citation

Loyola Law School Los Angeles, "The Loyola Brief" (1975). *Loyola Brief*. 32.
http://digitalcommons.lmu.edu/loyola_brief/32

This Newspaper is brought to you for free and open access by the Law School Publications at Digital Commons @ Loyola Marymount University and Loyola Law School. It has been accepted for inclusion in Loyola Brief by an authorized administrator of Digital Commons@Loyola Marymount University and Loyola Law School. For more information, please contact digitalcommons@lmu.edu.

The Father Decker Story

by Ed Siegler

There was at least one course on this semester's class schedule which raised a question or two in the mind of this lingering lottery holder. "The Religious Influence Upon California Criminal Law". At the time I could only envision a history of the missions as I watched the list of closed classes trail down the board in Room B.

If nothing else the lottery instills a feeling of predetermination sufficient to rationalize a sudden interset in whatever class is left. But this class was mildly bewildering. Its very presence to say nothing of its instructor was unaccounted for. Out of nowhere came an intimation that the separation of church and state was all a myth and that there really was a Father Decker somewhere on campus.

I found Father Raymond Decker's office in Loyola's new West wing, more warmly referred to as the brick barn north of the patio. It was there I learned that Father Decker is Dean in charge of Admissions in addition to his teaching schedule.

Loyola is certainly not the most logical habitat for Father Decker. He is neither a Jesuit nor a member of the State Bar. On the positive side, Ray Decker is a diocesan priest from the San Francisco area who holds a doctorate degree in the interdisciplinary field of Religion and Law. The course he is presently teaching is based

upon his dissertation upon that subject while a graduate student at Boalt Hall.

Father Decker understandably suffers from the San Francisco Blues which includes no small amount of prejudice leveled at the City of Angels. Since 1952 when he graduated from the University of Santa Clara, Father Decker has spent the majority of his time in the Bay Area. Although he claims he is warming up to this legal villa on Valencia, Father Decker still looks forward to his admissions interviews in the Bay Area. Aided by a faculty committee, Father Decker is primarily responsible for the selection of next years' 410 new Loyola students. It is a seemingly endless task of reviewing portfolios and deciding which one out of seven applicants will be accepted. From what I could gather, Father Decker's newest hobby is trying to be in two places at one time.

It didn't take long for the conversation to center on Father Decker's new courses and their place in the law school curriculum. Like four other courses in the catalogue, Father Decker's interdisciplinary courses on Religion and Genetic Engineering are described as courses of a jurisprudential nature, without which "a legal education could not be called complete." So much for the catalogue.

Father Decker believes Loyola like any law school of standing needs more of these breadth classes of interdisciplinary studies just to keep up with the trend of law practice. The influence of extralegal factors in the law is becoming more predominant. As society becomes of necessity more complex, Father Decker noted, there are needed additional and more complex norms for controlling social interrelationships. The result is a more complex legal system which can only mean greater emphasis on specialties and interdisciplinary studies.

More specifically, Father Decker plans to delineate in his class this semester some of the historical sources of California criminal law. While the material does have a direct practical value in preparing briefs, Father Decker believes such interdisciplinary courses enable a lawyer to function more effectively as "an instrument of change."

Father Decker described this instrument of change concept not merely as participation in the actual revision of codes or case law, but the very process of creative and innovative legal thinking when handling novel or esoteric areas of law.

Genetic Engineering and the Law, a

course to be offered by Father Decker next fall, is a good example. Father Decker hopes to explore the legal limitations on human experimentation in the area of eugenics, abortion, euthanasia and related genetic and population control concepts. His contention is that when legal norms are established in these extralegal fields, it will require of the lawyers that they possess the ingenuity and creativity needed to meet such situations. By the addition of such classes, Father Decker hopes a wider perspective will be given to the law educational process, which may in turn engender greater legal creativity.

Recognizing limitations of time and space, Father Decker also expressed a concern for the lack of physical facilities related to the recreational and social needs of the students and the necessity to foster an atmosphere of philosophic thought. He noted that law school can become a dehumanizing experience when divorced from other aspects of a person's life, and that the "9 to 5" demarcation between work and leisure is not within the parameters of a lawyer's lifestyle. What it requires is that the lawyer learn to relax during the exercise of his occupation. With Father Decker's schedule I would guess that this philosophy was generated from necessity more than anything else.

LOYOLA School of Law

BRIEF

LAW LIBRARY

MAR 14 1975

LOYOLA UNIVERSITY

March 1975

Vol. 4 No. 5 V. 5 # 4

Los Angeles, California

Congressional Action

Ecological Ups and Downs

by Richard Spotts

Although dominated by Watergate-related activities, the 93rd Congress also had its environmental "ups and downs." In some areas, such as the Clean Air Act and National Environmental Policy Act, conservation coalitions had to fight tooth and nail just to maintain the integrity of existing environmental legislation. Such holding actions verify the often-quoted environmental maxim: "Our victories are temporary, our defeats permanent." Meanwhile, significant progress was made in other legislative battles.

First, the good news. A 570,000-acre Big Cypress National Preserve in Florida and 84,500-acre Big Thicket National Preserve in Texas—two ecologically valuable and jeopardized natural areas—were established. 29 rivers will be studied for possible inclusion in the National Wild and Scenic Rivers System under recently enacted legislation. And an Omnibus Wilderness Act and Eastern Wilderness Areas Act were both successful. Thus, the 93rd Congress was generally supportive of land and river preservation efforts.

America's freeway-mania, exemplified by the sacrosanct Highway Trust Fund, became vulnerable when weakened by the exigencies of scarce energy and a faltering economy. Environmental pressures apparently tipped the scales, as passage of the Federal Aid Highway Act allowed the first diversion of Highway Trust Fund monies for non-highway purposes. As a result, an additional \$800 million can be used to develop mass transit, instead of 8-lane monstrosities.

Other positive gains occurred with enactment of the Safe Drinking Water Act and numerous energy bills, such as the Geothermal Energy Coordination and Management Project, the Solar Meeting and Cooling Demonstration Act, the Non-nuclear Energy Research and Development Act, and the Energy Reorganization Act of 1974. This latter reorganization act was notable because it accomplished a long-standing goal of environmental and public interest groups. It abolished the Atomic Energy Commission (AEC) and replaced it with two new bodies, the Energy Research and Development Administration (ERDA) and the Nuclear Regulatory Commission (NRC). Having both regulatory and promotional functions, the AEC was usually hostile to any criticism—no matter how reputable or well-researched—regarding nuclear power. Now that these conflicting roles have been separated into two distinct entities, it is hoped that this potentially hazardous form of energy will be more objectively scrutinized.

Now for the bad news. Clearly, environmentalists suffered their greatest loss with the narrow defeat of national land-use planning legislation. This resulted when former President Nixon switched his stance at the last moment and came out against the bill to sway conservatives, as a component of his anti-impeachment strategy. Previously, he had called the land-use bill his "top priority."

While the names have changed, the game still seems to be played the same.

(Continued on Page 2)

Curriculum, Grading Change at Loyola

by Wally Wade

Changes in the required curriculum, a switch to numerical grades, and faculty adoption of a voluntary grade-normalization procedure highlighted the academic activity at Loyola Law School during the first semester the 1974-75 year.

In the curriculum area, new first year students encountered an expanded Civil Procedure course (up from 4 to 6 units) and a new course in Legal Method (2 units). The course in Property has been moved to the second year curriculum in an attempt, according to Dean Gerald Uelmen, to "ease new students into the more difficult areas" of law study. The course in Criminal Law (now 2 units) has been moved from the second to the first year, while Criminal Procedure (4 units) is to be taken in the first summer (for evening students) or the fall of the second year (for day students). In addition, one section of first year students is taking legal communications as part of the Civil Procedure course, on an experimental basis.

The "lightened" first year curriculum has generally been well accepted, at least by faculty members, though the Legal Method course has come in for some criticism. According to Dean Uelmen, the course is designed as an introduction to legal study, stressing such fundamentals as case and statutory analysis and presenting some exam taking techniques. Half the course (15 hours) is presented the week before regular classes begin, while the remaining classes are distributed throughout the first semester. Though the idea behind the course, the "easing in" approach to law study, doesn't seem to ruffle any feathers, the procedures—especially the fact that the course is graded on a numerical rather than a pass-fail basis—have been questioned. Students, particularly in the day division, have contended that the purpose of the course is contravened by having the pressure of grades attached. Another criticism, from both students and faculty, is that the second half of the course is largely wasted because students are by the time fully immersed in the "solid" courses.

Significant curriculum changes in the elective area may also be in the offing, according to Professor Michael Josephson, chairman of the Curriculum Committee, a group composed of both students and faculty which recommends such changes to the entire faculty for decisions.

The most likely change in elective curriculum will come in the area of tax law, where Professor Steven Hirschick has proposed a model mini-curriculum consisting of Tax 1 (now Federal In-

come Tax) and Tax 2 (a new Corporate Income Tax course) in addition to the already existing Estate and Gift Tax, Policy of Tax Law, and Business and Tax Planning course.

Professor Josephson said that the proposed "tax" curriculum may serve as a model for other curricula emphasizing particular areas, such as litigation practice, corporate practice and criminal law.

Josephson indicated that most ideas for minor curriculum changes (the addition or deletion of individual/elective classes) comes from the students.

In the grading area, the law school has reverted again to numerical, rather than letter, grades. According to Dean Uelmen, the change was dictated by inequities inherent in the letter system, whereby a student could receive as many as three points less than what a professor might wish to give him numerically. "If professors are able to make such subtle distinctions between grades," said Uelmen, "we think they should be allowed to do so."

To accompany the switch to number grades, the faculty also adopted "definitions" of what the grades mean. According to the definitions, students receiving from 90 to 100 have demonstrated "exceptional ability and professional competence" in legal studies; those in the 80-90 range, "superior ability"; those in the 70-80 range, "acceptable grasp of the material" and "competence equal to at least the minimum expected from prospective members of the legal profession"; those in the 60-70 range, "less than acceptable" professional competence; and those below 60 have "failed to demonstrate an ability to comprehend and apply the subject matter."

Potentially the most important faculty action regarding grades, at least as far as first year students are concerned, is the adoption of a voluntary grade normalization plan. According to the plan, each instructor in a graded first year course will submit his final grades for computation of a consensus curve for that course. After computation, the curve results and grades will be returned to the instructor who may recompute the grades to conform more closely to the consensus.

Dean Uelmen emphasized that the plan is entirely voluntary, and a professor is under no compulsion to change any grade to conform to the consensus.

Impetus for such a normalization plan had come primarily from students who claimed that

(Continued on Page 2)

LOYOLA SCHOOL OF LAW

The Brief is a monthly publication funded by the Student Bar Association of Loyola University School of Law, 1440 West Ninth Street, Los Angeles, California 90015. All opinions expressed herein are solely those of the staff and in no way reflect the views of the SBA or the Administration

Editor

Assistant Editor

Copy Editor

Ross Hart

Wally Wade

Ed Siegler

Staff

Ardie Johnston

Bruce Horace Robinson

Janet Brown

Michael Vanie

Leslie Shaw

Margot Demopoulos

Letters to the Editor

To the Editor:

I must take issue with Michael Vanie's somewhat muddled editorial, "Before It's Too Late, Again" (Loyola Brief, September, 1974). It appears to me that he is urging direct student participation in the tenure process, but is against a questionnaire-type evaluation form. I have re-read his opinion three times, but I fail to find any concrete suggestion of the type of direct input he wants instead.

I am one of the two student members of the Academic Standards Committee (which is its correct title, not the "Faculty Standards Committee" to which Mr. Vanie refers), and I believe that our participation is far from "token," as Mr. Vanie states. Both of us are quite vocal, have been critical where we believed it necessary, and our comments and criticisms have been afforded equal weight with those of the faculty members of the committee. We consider ourselves, and are considered by the rest of the committee, representatives of student opinion, and such opinion is not "token."

Over the past several weeks the Academic Standards Committee has been preparing a faculty and course evaluation questionnaire. It will be used to elicit frank opinions from students about all faculty members (not just untenured faculty) and all courses. Its use will be threefold: (1) it will tell each instructor how he or she can improve; (2) it will tell the faculty and administration about the quality of the teaching staff and curriculum as perceived by students in everyday contact with these teachers and courses, and not just in the biased and artificial atmosphere of faculty classroom observations; and (3) it will enable students themselves to make more informed selections of teachers and courses.

The questionnaire is surely designed to aid the tenure committee in its deliberations, as Mr. Vanie suggests, but I hope that I have shown that its purpose is broader than this. The committee has given each item on the questionnaire thoughtful and serious consideration. But a questionnaire of this type does not exist in a vacuum; in the final analysis the value of any questionnaire is directly proportional to the amount of time and serious effort put into answering it. If enough students believe Mr. Vanie's premature consignment of this questionnaire to the rubbish heap, that is surely where it will end up. But if enough students care enough to fill it out wisely and thoughtfully, it can be a valuable instrument of constructive criticism.

Yours truly,
Linda Greenberg

Dear Editor:

I wonder, in this academic institution filled with fashionably liberal survivors of the numerical gauntlet, who could be responsible for the vile, racist, sexist, and generally not even clever scribbles in the men's toilet stalls. It must be either one of "us" or a "lay" person. Assuming it's one of us, I for one think it's embarrassing that we not only write stupid, juvenile graffiti, but that we write it so badly.

I propose that we install blackboards and chalk in each stall. Everyone who cares to write must then do their very best and identify their work by a secret number. Then, at the end of the year, we could simply "flush out" those graffitiists who get less than a 75.

Committee to Revitalize
Academic Performance
(C.R.A.P.)

Downs continued

(Continued from Page 1)

same. President Ford, as promised, recently vetoed the federal Strip Mining Regulation bill, after intense special interest lobbying. He and the National Coal Association said the legislation was too strict, yet Pennsylvania has had similar, if not more stringent, regulations since 1963, with coal production increased 50 percent during that time.

Congressional apathy, procedural maneuvers and foot-dragging were also effective in preventing passage of critically important bills. The result is no expansion of the Indiana Dunes National Lakeshore, no Hells Canyon National Recreation Area, no increase in the Land and Water Conservation Fund for habitat acquisition, no Bureau of Land Management Organic Act, no National Solid Waste legislation to encourage recycling, and no Toxic Substances Control bill. In addition, passage of the so-called Grand Canyon Enlargement Act will actually result in a reduction of 55,000 acres from park protection.

Admittedly, this is only an overview of environmental actions in the 93rd Congress. Nevertheless, it illustrates the rather mixed, sometimes erratic, Congressional behavior environmentalists have come to expect. Prospects for the new session are similarly unpredictable. While the more progressive and reform-minded membership in Congress promises to be generally more enlightened and sympathetic to environmental positions, the recalcitrant executive branch may pose a formidable barrier. Even though passage of national land-use legislation seems assured, as well as other beneficial bills, President Ford seems quite willing to fully exercise his veto power. And overriding vetoes is much more difficult than merely getting majority approval. Consequently, President Ford may become the major impediment to land-use planning, strip mining regulation, and other legislative priorities.

Res Judicata

The court moved at nine
amid the noise

the defendant called

there stood poised

The four judge panel balanced on the bench

ready to give the laurel or the wrench

Each spoke in their turn I

remember it now —

BENJAMIN N. CARNODOZE

"Look it up dobbin, its out of my ocean"

PENNOYER B. DENKLA

"But come now, is it fair?"

WILLIAM O. EFFINGHAM

"And that's the bottom line"

Learned R. YOUSOUPOFF

"Ah, the bank door is open"

I saw the man wipe the rain from his brow

and yet his eyes were dry as coloured caked clay

Yes, I will always remember the first trial I spied

as I sit here now and try to decide

whether the issue was clear

and the holding justified.

— Enlightened Foot —

Announcements

STUDENT BAR ASSOCIATION NEWS — DAY DIVISION

In January the Student Bar Association took time to study student complaints about final examinations which they had taken in December. One result of the investigation was the joint resolution by the Day and Evening Divisions which has been posted. Another was a Student Bar Association commitment to look into and publish a series of reports dealing generally with examinations and evaluation, in an attempt to make the student position known to the faculty and administration.

★ ★ ★

Upcoming soon will be Day Division elections for 1975-76. Look for posted information and sign-up sheets outside the Student Bar Association Office on the bulletin board.

★ ★ ★

The law school now has a Protestant minister and a Jewish rabbi as well as a Catholic priest on its staff. Protestant Chaplain Charles Clark can be found at the law school in the Chaplain's Office on Thursday afternoons between 2:00 and 6:00. At this time, Rabbi Frank Rosenthal does not have a permanent schedule of hours at the law school, but that schedule should be set shortly, and when it

is, it will be posted on the chaplain's bulletin board in the main hallway at the law school.

★ ★ ★

FINANCIAL AID INFORMATION

Mrs. Higgins, Director of Financial Aid suggests that all students interested in applying for Financial Aid for the Fall semester should watch the financial aid board for deadline dates for picking up the application forms. Notices will be posted as soon as the federally insured loan forms arrive from the government.

The Student Financial Forms, which must be submitted to Berkeley are available now in the Financial Aid Office.

★ ★ ★

All students interested in environmental topics, particularly those considering a career in environmental law, are urged to contact Richard Spotts at 721-7466. If enough interest is shown, the currently inactive Environmental Law Society may be reorganized.

★ ★ ★

The Loyola Bar Association (Evening Division) has been holding weekly meetings to discuss and take action on various issues of importance to evening division students at Loyola.

A final budget has been approved and is now posted on the large bulletin board outside the LBA office. The budget includes funding for various student organizations, including a new society established to arrange showings of films for Loyola students during hours when evening students can attend. Organizations seeking disbursement of funds should contact Secretary-Treasurer Bob Pendleton by putting a note in his box in the coffee shop.

Evening Division LBA meetings are being held this semester on alternate Tuesday and Wednesday nights at 10:00 pm in the Moot Court. In the coming weeks the association will be considering numerous proposals regarding administrative policies and services and student-faculty relations. These issues include bookstore and administrative office hours, availability of scholarships for evening students, and the establishment of a graded-exam file to supplement present files of faculty members' prior exam questions.

Any comments or suggestions regarding these or other proposals can be submitted to evening division class representatives. Weekly LBA meetings are open, and all students are invited to attend.

Changes continued . . .

(Continued from Page 1)

significant differences existed in grading methods and results between professors teaching the same required course.

Such student concerns heightened last year when the administration announced the "75 plan" which

raised the level of grade point average which students must maintain in order to stay in school.

Dean Uelmen indicated that, though the normalization plan had been implemented, there has been no consideration given recently to the desirability of retreating from the raised standards of the 75 plan.

Help Wanted

Students interested in applying to be the editor or assistant of the Brief for the 1975-76 school year, are requested to contact Ardie Johnston or place a note in the Brief Box. There are also staff positions available for next year. Any student may apply — no special requirements.

Profile of a Professor: Steven Hirstick

by Bruce Horace Robinson

When I walked into Prof. Hirschtick's office, I couldn't help but notice on his walls some pictures of those brilliant crazies of comedy Groucho, Harpo and Chico, aka the Marx Brothers.

Would you believe that Prof. Hirschtick has seen all of the Marx Brothers' movies, including the classics "Duck Soup," "A Night At The Opera," and "Animal Crackers," at least 50 times each? Well, it's true. He's been a genuine Marx Brothers freak ever since he was in college and I wouldn't be surprised that upon sticking a large Cuban stogey in his mouth he could deliver one of the best Groucho imitations in the world. As for those old reruns of "You Bet Your Life" on Channel 5 with you know who, George Fenneman, the secret word and that duck, it doesn't take too much to figure out what superfan is going to be watching as often as he can.

In my opinion anyone who likes Groucho, Harpo and Chico that much can't be all bad. However, there is a lot of additional evidence to prove that Prof. Hirschtick is one of the most down-to-earth law professors I have ever met.

He was born in Chicago on September 17, 1946, which makes him 28, and he was the second born of five children, four boys and one girl. His father was an orthodox Jew and his mother was an Irish Roman Catholic. Hirschtick says that this combination worked out pretty well when he was growing up especially since neither religion was ever jammed down the throats of the children.

Later in college he drew away from pre-med and decided not to follow in his father's footsteps when he realized that he didn't want to do all of the work that was necessary in order to get high grades to get into medical school and when he decided that he didn't want to spend 8-10 years in medical training once he got there. He went into a very flexible pre-law program, which you realize it had to be when you learn that he graduated from college with a B.S. degree in Chemistry of all things. He entered the University of Illinois School of Law in 1968 and graduated from there in June, 1971.

In law school and college, Hirschtick was a walking encyclopedia of trivia about comic books and science fiction and horror movies. "One of the things that I'm proudest of in my undergraduate and law school career is that in 1971 I was on the team of students that won the University of Illinois Trivia Bowl," he told me. If you ever go to his office, don't miss the 1975 Marvel Comics Calendar given to him by his wife and daughter as a Christmas present in recognition of his trivia expertise.

His daughter is now 17 1/2 months old and when she was born Hirschtick was present in the operating room. Some of his friends think he is crazy, but Hirschtick swears that his daughter was smiling at him when she arrived in this world.

He recommends that every father should be present at the birth of their children because the father is just as responsible for the creation of a child as the mother and the mother can use as much moral support as she can get.

After graduation from law school Hirschtick went to work for the Chicago law firm of Vedder, Price, Kaufman & Kammholz. At about the same time that he joined the firm, President Nixon started up

the Economic Stabilization Program which created a new area of law literally overnight and by reading all of the publications and materials connected with it, Hirschtick gained some expertise in wage and price controls and found himself labeled as the firm's wage and price control expert.

The first time he ever taught a law school class was in 1972 at the Loyola Law School in Chicago. He taught a night class at that time because he was still working at the firm during the day and somehow finding the time to help run a legal aid office in Chicago's Spanish-speaking community. Later he decided to try to find out whether there was a full time teaching position available which would allow him to teach the courses he was interested in at a school he would enjoy.

He was in the process of using the nationwide employment service which helps to recruit law professors for law schools when one day he returned home to find a message indicating that someone named Harry Laughran had phoned from Biloxi, Mississippi. Hirschtick didn't want to relocate in the south and because he assumed that Prof. Laughran was calling about a law faculty position at the University of Mississippi, he didn't return the call for several days. When he did return it there was no answer. He went to New Orleans a few days after calling back and while he was there he stepped into an elevator and saw a man with a name tag on that said "HARRY LAUGHRAN, LOYOLA UNIVERSITY, LOS ANGELES." The conversation then went something like this:

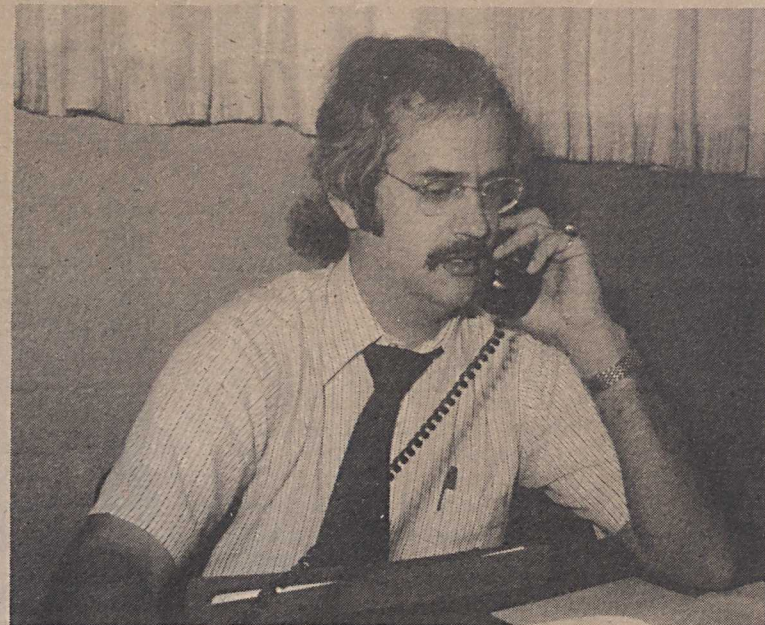
Hirschtick: Did you call me from Biloxi, Mississippi?

Laughran: Yes. I was visiting my grandmother and I just happened to be there when I called you.

Prof. Laughran has a major role in recruiting new professors for our law school. The rest is history and today Hirschtick teaches Federal Income Tax, Corporations and Business and Tax Planning.

One day I saw Prof. Hirschtick playing volleyball with a group of students here at the law school and I couldn't help but draw the conclusion that any professor who could be found playing volleyball with students does not suffer from an ivory tower syndrome and has no need for maintaining a gulf between himself as a professor and his students. He agreed with my assessment.

"I don't see the point in maintaining a gulf," he said. "Take Federal Income Tax, for example. It is a course that tends to freak students out. Even if they have no knowledge whatsoever of what's going on in a particular area, just the concept of it scares them. It happened when I was in law school, I've seen it happen here and I've seen it happen when I taught Federal Income Tax at Loyola in Chicago. I think it's important for me in order to be effective in teaching the course to remove all of the other obstacles. I don't want students to fear me from the podium. It distracts them from the subject matter. I try as hard as I can not to belittle students. If students aren't prepared, they should realize that they are only hurting themselves. We are assisting people in becoming professionals, and one way to further this goal is to treat them as professional. I believe my role is to assist students in learning, rather than to teach students."



Professor Steven Hirstick

Food for Thought

by Leslie Shaw

It used to be said that downtown was the type of place where someone would slash your throat for a dime. Well, times have changed. Today the cost is inconsequential. Still, there are those of us who are willing to face the challenge. We unashamedly aspire to scale Bunker Hill; to pit ourselves against the elements by traversing the landscape, and scoffing at those who yield to the modern day convenience of the minibus. Few of us have dared to brave the path of Temple, straight through the fiery clutches of Hill. But, for the adventurous among us, I suggest that downtown Los Angeles has some of the more interesting places to eat in the entire city. So, get out the cast-iron turtle-neck sweater, and take the plunge.

LA CASA ROJA would be a horrible name for a Chinese restaurant, or a shortstop in the Puerto Rican winter baseball league, but it aptly warns you that Mexican food is to be found inside. Probably whatever claim to fame this restaurant may have (and up to this point that claim may be this column) is probably due to the reputation LA CASA ROJA has as "the home of the 35 cent Margarita." (and the \$2.00 Margarita antidote). Actually, the drinks are made out of white wine instead of tequila, and they're not bad. If finances are a consideration, you may wish to order an entire pitcher, which serves (1) six people, and (2) to reduce the price.

The food is better than average, and the price is reasonable. Lunch runs about \$1.50 to \$2.00. After lunch, you will run about two to three days.

LA CASA ROJA is on 3rd Street, one-half block north of Spring Street. Reservations are not needed; only a quest for adventure.

On the better side of the downtown area is THE LOS ANGELES SOUP CO., located on Flower, on-half block south of 7th Street (across from the Broadway Plaza). The name tells it all. The current trend in restaurants seems to be to have a name like "The 3rd National Tuna Fish Corp.," and serve nothing but salads and omelettes. THE LOS ANGELES SOUP CO. is different: they don't serve omelettes. Yet, it is closeby, and the soups and salads are very good. Lunch costs about \$2.00, and it is very crowded between 12:15 and 1:00 p.m., so try to get there before noon.

If you survive your trek into the urban jungle, you may find that downtown Los Angeles can be an interesting part of town, but I won't guarantee it. In that part of town, I wouldn't want to stick my neck out.

Business Law Blues

by Ross Hart

I am sure we will all agree that trying to understand and work with the basic concept of "consideration" during the first few weeks of our contracts classes was no easy task. Those who have the inclination and choose to go off the deep end by taking classes like secured transactions and bankruptcy will find that "perfection" and "voidable preferences" are even nastier. But in whatever area of law a student chooses to concentrate, the classroom experience can be very dull if one has the feeling that the problems confronted in a course are limited to the textbook.

For those students who have an interest in commercial law, the Loyola Business Law Society is trying to serve as a link between the real world and classrooms "A", "B", and "C". Professor Lloyd Tevis, faculty advisor to the society, feels that there is a benefit to be gained by listening to the guest speakers. The student can see that there is practical relevance to the classroom experience and at the same time understand the context in which the lawyer operates in the commercial field.

During the fall semester, Russell Freeman of the Security Pacific Corporation and Merrill Francis from the commercial department of Sheppard, Mullin, Richter and Hampton came to Loyola and spoke about employment opportunities in the commercial law field. At another meeting, Laurence Preble of O'Melveny and Meyers gave a very informative and useful talk about usury. There was one problem: only twelve students showed up to listen. At a recent meeting of the real estate section of the Los Angeles County Bar where Mr.

Preble spoke on the same subject, there was standing room only.

It may be that only twelve students at Loyola Law School are interested in a business law career. However, I tend to think that the poor attendance can be attributed to a combination of the lack of publicity, time conflicts, and a lack of enthusiasm. Whatever the reason, it is clear that it is unfair to ask people to give their time to something which is designed to help only the students and show our appreciation by not attending.

There are some prospective Business Law Society programs which could be very valuable to any law student who might practice in commercial law in the future. However, Professor Tevis is understandably reluctant to exert his full energy to insuring that these events take place when the attendance track record indicates that he may be the only person to attend.

Particularly because Loyola is a commuter school which, for the most part, lacks the feeling of an academic "community", I think we should all participate as much as is possible in the extracurricular activities available. These programs deal with a variety of legal problems and areas of interest and help to round out our legal education. Participation enhances the individual's chances of success as well as the overall reputation of Loyola Law School which is important to us as a group. Those who want to prevent the Business Law Society from dying a lonely death by expressing some interest, should contact either Professor Tevis or Bill Wilson, Chairman of the Society.

Evening Budget

Loyola Student Bar Association — Evening Division
Final Budget (44% unless noted otherwise)

1	National Lawyer's Guild	
a.	1 delegate to San Francisco — 22%	\$ 25
b.	Student newsletter (if available to Loyola students)	25
d.	Supplies/Administrative	25
e.	Speakers/Films	125
TOTAL		200
2	Balsa	
a.	Newsletter — 2 issues	53
d.	Administrative	50
e.	Landlord/Tenant Pamphlet	264
f.	Fund-Raiser (Loan)	(264)
g.	Recruiting	25
h.	1 delegate to Washington — 22%	115
i.	Balsa Symposium	150
TOTAL		657
4	Consumer Protection Journal	350
5	ABA-LSD — 1 delegate to San Francisco — 22%	25
6	La Raza	
b.	Film Series	50
c.	Minority Law Symposium — Speakers, Films, Publicity	200
e.	Office Supplies	50
TOTAL		300
7	CLAC — Frontera — 100% of actual travel of night studs.	200
8	Women's Union	
a.	Administrative Expense	50
b.	Women's Law Journal	150
c.	Conference — Palo Alto — 22%	75
d.	Women in the Law Day	50
TOTAL		325
9	International Law Society	
a.	Speaker — no travel authorized	136
b.	Receptions at Speeches	90
e.	Administrative	50
TOTAL		276
10	Asian-American — Administrative	50
11	BRIEF — Deduct advertising Revenue	381
12	Loyola Film Society — 100%	325
13	SBA	
a.	Administrative	500
b.	Contingency	1584
TOTAL		2084
GRAND TOTAL		\$5175

Going to the movies

"A Woman Under the Influence"

by Peter Gordon

John Cassavettes' newest film, *A Woman Under the Influence*, is an indelible depiction of the politics of psychosis in a blue-collar family. Gena Rowlands is Mabel Longhetti, once a too pretty high school prom queen who married young and had three children and lived forever after at the edge of her wits in suburbia. Peter Falk is Nick, her husband, a hard-hat foreman of a pipe laying crew. Nick is dominated by social conventions and, unable to fathom his wife, ends up being her drill sergeant, trying to march her back to the normalcy that he provides.

We enter the lives of Nick and Mabel on a significant workday. Mabel has been acting a little bit strange and the two of them have arranged a night to be alone together so as to talk. The children are carted off in the morning by her mother. Mabel spends the rest of the day listening to opera as she listlessly walks from room to room, sitting, with bare feet propped up on the dining-room table drinking beer, passing the time until Nick's coming home. Nick calls when it is already evening, to tell her that they will have to work all night plugging a water main that has broken in the Palisades. Mabel, speaking with an ancient pain, answers her man that it's "Okay."

Circumstance has defeated them again. Nick has broken another promise. This single attempt to be alone and to rediscover one another never takes place. Mabel's expectations dry her throat. She goes to a nearby bar, downs a tall glass of Seagram's V.O., and is taken back home by the fellow at her elbow. Fortunately, by the time Nick and his eight-man crew arrive for breakfast, Mabel is alone. She emerges in her flimsy shift and looks dazedly at the men. Her hair is wet and stringy, her memory of some of the men, whom she knows well, too vague. We note that her mannerisms and questions are awkward, child-like. During the spaghetti breakfast Mabel progressively betrays her troubled state. She walks over to a handsome, goateed black man singing an aria from *Aida* and looks closely into his mouth, marveling at the sound coming from his rich vocal chords. Mabel then tells moon-face Joseph Morton that he is beautiful and asks him to dance. The awkward silence is broken by Nick's scream that she "sit her ass down." A complaining phone call from Nick's mother allows the men to mumble their thanks for the meal and file out.

Mabel is terribly concerned that she again acted "wacko". Nick reassures her that it's all right, "I don't mind you acting lunatic, but that guy thinks you meant something." Mabel explains that she was only trying to be nice, not stiff, so as to make them feel comfortable. She promises that if Nick wants her to be reserved and formal then that is how she will be. Gesturing with her thumbs, even, incongruously, sounding like Nick, she tells him, "I can do that; I can do that; I can do anything."

The scene is too long, uncomfortable to watch, but tellingly real. The entire film suffers from, yet ultimately triumphs because of the camera's faithful depiction of the raw, misunderstood, nitroglycerine filled events in the Longhetti's life. Cassavettes tries the viewer's patience by revealing the undoing of Mabel in real time. Gena Rowland's face is a kaleidoscope of emotions which reveals, with each new turn, a subtler meaning to her actions and a truer gleaning of the source of her dissolution. Peter Falk rampages when threatened, screams when ashamed, commands when in doubt, thinking that by blustering he can make Mabel and the world conform to his limited understanding. And they are believable. Cassavettes employs



Gena Rowlands

cinema verite techniques in *Woman* more effectively than in any of his previous films to reveal the porous, breathless encirclement of Mabel by Nick's brutally limited sensitivity to her wish to be genuine and informal. In the blue-collar, Italian-Catholic setting the lines of propriety and reserve cut deep and blind expressions of feeling and caring for family and friends. Mabel is erratic, without a place in Nick's world, flitting in and out of its encompassing hold. She would make herself over to please Nick if she could; but some part of herself sparks, lights a fantasy world, which Mabel then misguidedly tries to bring to life. Her plight is wrenching.

Nick can't reach out to Mabel; he can't discipline his children; he can't accept the caring of his fellow workmen. Nick shouts and screams and whispers "I love you" to someone he remembers but no longer shares with or trusts. He loves Mabel loudly and passionately but without any intimacy. He never has recognized her with an awareness of her freedom, her dignity. All that he demands of Mabel — and this tortures her — is that she be normal — a wife, a mother, a cook. Nick is incapable of being there for another person, listening or offering of himself. He responds most warmly to Mabel when she mimics his own manner of speech and gesture, as ridiculous as that frail, lovely woman looks when acting like an Italian laborer. When Mabel makes gouging gestures with her thumb or utters guttural comments, she is damning her own grace and sensitivity, just as Nick does. This is perhaps why the swan's death dance from Tchaikovsky's *Sleeping Beauty* becomes the symbol of Mabel's life: entranced by the music, Mabel twirls upon the sofa, her arms in the slow wing motions of a gliding bird, until Nick punches her and she tumbles to the floor.

There is in Mabel a certain spontaneity, a warmth that is, perhaps, childlike, but in come circles would be crowned with appreciation. In her family setting it leads to her being ostracized and driven into a realm of fantasy that only occasionally, when playing with her children, she is allowed to express. Mabel Longhetti is a woman who has a simple, unexpressed gift for life, but she lives under the influence of her husband's conventions. Yet, she chose him and is too weak to leave. She remains wedded to her psychosis.

This is a great and complex film that deserves being experienced.

Professor's Wife

Runs for Council

by Bruce Horace Robinson

In November, 1974, on election night, Paula Ogren, the wife of Loyola Law School's Professor Quentin Ogren, learned that Ella Grasso had been elected Governor of Connecticut.

"As I walked away from the television set, I went past a mirror and looked at myself and said, 'Paula, you are a fatter Ella Grasso. This is your year!' Then and there I decided to run for John Ferraro's seat on the City Council," she told me in an interview for the BRIEF.

Looking to Barbara Jordan and Elizabeth Holtzman, members of the House Judiciary Committee and superstars of the Impeachment Hearings, and Governor Grasso for political inspiration, Mrs. Ogren's strategy is to keep Ferraro from winning a majority in the primary to be held on April 1, 1975, and for herself to come in second place so that she can have the chance to beat him in the runoff.

Extremely intelligent and articulate, Mrs. Ogren, the holder of two masters degrees, mother of six children, a former teacher of history and government at Immaculate Heart High School, and an active supporter of various groups, committees and causes, thinks that she has a good chance to pull it off.

She has detected a certain weakness in Ferraro's political base since his embarrassing and inept performance in the last supervisory race in which he lost to Supervisor Ed Edelman. If she can get her message to the voters and achieve some measure of name recognition, she feels that Ferraro can be defeated.

But therein lies the major hurdle of her campaign: name recognition and getting her political message and ideas to the voters of the fourth councilmanic district.

With Ferraro in the comfortable position of having held office for nine years and possessing the capability of tapping major corporate sources to fill his campaign war chest (Ferraro spent \$750,000 in his losing supervisory effort), Mrs. Ogren, who has no money for billboards and other slick media advertisements, is opting for a more personal grass roots approach similar to that which worked successfully for Councilman Joel Wachs.

She has a flock of neighbors and students and members of her family who are ringing doorbells, distributing leaflets and bumper stickers, and assisting her in various mailing and research projects. Prof. Ogren himself is serving as her chief aide and advisor and her 79-year-old mother is the campaign finance chairman.

Mrs. Ogren will also be ringing doorbells personally everyday throughout the month of March in her district, thus injecting the ultimate personal touch in an era of impersonal space age campaigning via television, radio and computer printouts.

One of the things that helped her make up her mind to throw her hat into the ring is Mayor Bradley's decision to severely cut the City's public library budget. "If a city doesn't have a good library system, it's not much of a city," she said.

She was shocked to learn that while our public library is starved for funds, City Council members get paid \$30,000 per year, are chauffeured in limousines and fly first class whenever they travel by jet, all at public expense. Mrs. Ogren says that she would be willing to drive her own car, and fly tourist whenever she travels. She also sees no valid reasons for any new salary increases.

In the January 13, 1975 edition of Newsweek magazine, Senator Sam Ervin said:

"Nothing can prevent another Watergate except that the men and women who seek and acquire political power have two characteristics: they must understand our system of government and be dedicated to it, and they must have intellectual integrity."

Mrs. Ogren has both of those characteristics and she doesn't feel that politics is a dirty business where anybody should fear to tread. "I've always taught my students, when I was teaching civics, that politics is an honorable profession, that we should all be concerned, and that we should all be politicians in a sense, if we want our democracy to work."

*Due to the lateness of the year,
the Brief will be out of order
until next year.*

IS THE SOCRATIC METHOD GETTING YOU DOWN?

Get in touch with us for fast relief. We're in the business of providing excellent legal study aids.

Student Outlines • Casebooks • Hornbooks • Study Aids For The Law Student

Mail Orders Handled Promptly

8202 Sepulveda Blvd., Van Nuys, Calif. 91402 (213) 785-6063

305 N. Main St., Santa Ana, Calif. 92701 (714) 543-1213

BankAmericard

Pacific law books, inc.

Master Charge